

<sup>2</sup> Under Rule 4(b) of the Rules Governing § 2254 Cases, the court may summarily dismiss a § 2254 petition “[i]f it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief in the district court.”

§ 2244(b). The petitioner previously filed a § 2254 petition concerning this same conviction and sentence. *See Anderson v. Dir. of Dep't of Corr.*, No. 7:12CV00323 (W.D. Va. Aug. 8, 2012) (dismissing § 2254 petition as untimely filed), *appeal dismissed*, 502 F. App'x 261 (4th Cir. 2012) (unpublished). Because the petitioner offers no indication that he has obtained certification from the court of appeals to file a second or successive § 2254 petition, I must dismiss his current action without prejudice.<sup>3</sup>

A separate Final Order will be entered herewith. The clerk will send a copy of that Final Order and this Opinion to the petitioner.

DATED: April 30, 2014

/s/ James P. Jones  
United States District Judge

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<sup>3</sup> Petitioner has also filed several motions, seeking in forma pauperis status, an acquittal on his state court criminal charges, an evidentiary hearing, and an appeal to this court of the Supreme Court of Virginia's dismissal of his habeas appeal in 2013. (ECF Nos. 3, 5, 7, 10, & 16.) Because I am dismissing this § 2254 action as successive, I also dismiss petitioner's pending motions as moot. Petitioner is advised that a federal district court cannot decide a direct appeal from a state court decision. *See Plyler v. Moore*, 129 F.3d 728, 731 (4th Cir. 1997).